

**City of Reading City Council  
Regular Business Meeting  
Monday, May 14, 2012**

Council President Francis G. Acosta called the meeting to order.

The invocation was given by Rev. Alcia Julia-Stanley, New Journey/Nueva Jornada UMC.

All present pledged to the flag.

**ATTENDANCE**

Council President Acosta

Councilor Corcoran, District 1

Councilor Goodman-Hinnershitz, District 2

Councilor Sterner, District 3

Councilor Marmarou, District 4

Councilor Reed, District 5

Councilor Waltman, District 6

Mayor V. Spencer

City Auditor D. Cituk

City Solicitor C. Younger

City Clerk L. Kelleher

**PROCLAMATIONS AND PRESENTATIONS**

City Council issued the following:

- Council Commendation recognizing the 85<sup>th</sup> anniversary of National Cleaners and Yorgey's Fine Cleaning, accepted by Michael Roeberg and Richard Roeberg
- Council Commendation recognizing National Police Week, accepted by Police Chief William Heim
- Council Commendation recognizing Reading City Church for their work on the Welcome to Reading sign at Second & Penn Streets
- Council Commendation recognizing Julio Ortiz
- Council Commendation recognizing Law Day, accepted by City Solicitor Younger

**PUBLIC COMMENT**

Council President Acosta announced that there are seven (7) citizens was registered to address Council on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the Council meeting. As no one objected, the rule to require non-agenda comment at the end of the meeting was suspended. Council President Acosta reminded the citizens registered to speak about the remaining public speaking rules

**Vada Doctor, of Wyomissing,** was not present.

**Miguel Castillo, of North 8<sup>th</sup> Street,** was not present.

**Brigitte Eberly, of Salt Lake City, UT,** stated that she registered to address problems with the Quality of Ticketing program. She noted the refusal of Codes personnel to provide her with copies of the photographs that support the Quality of Life Violations, which will support her appeal to the Berks County Court of Common Pleas. She stated that she now photographs her entire property weekly and noted the cost to do so. She also noted the delay with scheduling Quality of Life ticket appeals. She stated that she lives in dual locations; Reading and Salt Lake City, UT and she is often forced back to Reading to attend appeal hearings. She expressed the belief that the appeal scheduling is unfair.

Council President Acosta announced that Ms. Eberly's time to comment had expired. He inquired if any other member of Council objected to extending Ms. Eberly's time for an additional two (2) minutes. As no one objected, Ms. Eberly was permitted to speak for two (2) minutes longer. Ms. Eberly noted discrepancies with the information provided by Codes personnel about the Quality of Life ticketing program and appeals process. She expressed the belief that the appeals process should be more lenient towards the taxpayer.

**David Toby, of Sinking Spring,** was not present.

**Tracey Salomone, of Reading,** described the work schedule of the crossing guards and noted the lack of the pay increase for the past five (5) years. She noted that the crossing guards have threatened to strike which would present public safety issues for school children.

**John Shelley, of Spring Valley Road, Muhlenberg,** thanked the City for rehabilitating Bernhart's Park. He stated that since the rehabilitation the park is heavily used. He noted that the trash cans are currently located on the parking lot on the northeast corner of the park. He requested that the City place cans near the dam breast on Spring Valley Road as fisherman sometimes leave trash behind as trash receptacles are not available. He also expressed the belief that the paths in the park should be wider.

**Kevin Miller, of Green Street,** was not present.

## **APPROVAL OF THE AGENDA & MINUTES**

Council President Acosta called Council's attention to the agenda for this meeting and the minutes for the April 23<sup>rd</sup> Regular Meeting of Council. He noted the need to add two (2) new ordinances for introduction; one addressing Fire protection fees and the second addressing the Health and Safety inspection fee.

**Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to approve the minutes from the April 23<sup>rd</sup> Regular Meeting of Council and the agenda as amended, including the legislation under the Consent Agenda heading. The motion was approved unanimously.**

## **Consent Agenda**

None.

## **ADMINISTRATIVE REPORT**

Mayor Spencer read the report distributed to Council earlier in the day. He highlighted as follows:

- The start of the City Recycling Collection program
- Update on Graffiti Abatement
- Ribbon Cutting Ceremony at Angelica Park Exploration Center, which is a partnership between the Berks Conservancy, Alvernia University and the City
- Update on the PILOT program

Mayor Spencer invited Scott Hoh who chairs the Internal Compliance Committee (ICC) to provide an update. Mr. Hoh explained the ICC process, which is modeled after former Philadelphia Mayor Rendell's program. He described the five (5) core areas and the initiatives which are progressing.

Councilor Goodman-Hinnershitz suggested that Mr. Hoh coordinate ICC initiatives with the Council Committee agendas, which will provide good coordination between the body's.

Councilor Waltman stated that he reviews the weekly ICC meeting reports and suggested that the ICC work to assist PFM to amend the Act 47 Recovery Plan. He stated that recalibrations of the EIT, Sewer revenue, etc. are required. He noted the importance of amending the plan to support the City in the coming years.

## **AUDITOR'S REPORT**

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- 2012 Cable Franchise Collection
- 2012 Unemployment Compensation
- 2011 Parking Authority Audit

## **ORDINANCES FOR FINAL PASSAGE**

**Bill No. 45-2012** - repealing Ordinance 45-2008 and amending the Codified Ordinances Chapter 1 Administration and Government Part 5 Boards, Commissions, Committees and

Councils by deleting A. Park and Recreation Citizen's Advisory Committee Sections 1-501 through and including 1-506 accordingly **(Council Staff/Law)** *Introduced at the April 23 regular meeting*

**Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 45-2012.**

**Bill No. 45-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7  
Nays: None- 0**

**Bill No. 46-2012 -** amending the City of Reading Codified Ordinances Chapter 3 Bicycles Part 1 Bicycle Regulations Section 3-106 Operation and Parking by adding the Reading Parking Authority **(Council Staff/Law)** *Introduced at the April 23 regular meeting*

**Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 46-2012.**

Council President Acosta stated that the enactment of this ordinance and Bill No. 47-2012 will permit the Parking Authority to ride their enforcement bicycles on the sidewalks. He stated that permission to ride bicycles on the sidewalks was also extended to the Reading Police Department and DID.

**Bill No. 46-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7  
Nays: None- 0**

**Bill No. 47-2012 -** amending the Codified Ordinances Chapter 15 Motor Vehicles and Traffic Part 10 Regulation of Pedalcycles and Non-Motorized Vehicles Section 15-1001 Riding and Parking of Pedalcycles on Sidewalks along Certain Streets Prohibited by adding the Reading Parking Authority **(Council Staff/Law)** *Introduced at the April 23 regular meeting*

**Councilor Corcoran moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 45-2012.**

**Bill No. 47-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7**

**Nays: None- 0**

**Bill No. 48-2012** - amending the Codified Ordinances Chapter 16 Parks and Recreation by adding a new Part 4 as attached relating to Public Private Partnerships for City Parks and Playgrounds **(Council Staff/Law)** *Introduced at the April 23 regular meeting*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 48-2012.**

Councilor Goodman-Hinnershitz stated that she is pleased with the work to create this agreement, which will provide some standardization for agreements for public/private partnerships within Reading.

Mr. Corcoran noted his support of the City's Parks and Playgrounds as they provide a good recreation outlet for families and all citizens.

**Bill No. 48-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7**

**Nays: None- 0**

**Bill No. 49-2012** – amending the Codified Ordinances §1-199.03 Boards and Commissions/Councils Establishing the City of Reading Audit Committee as prescribed by the Act 47 Recovery Plan CA 02 as a new Part 22 **(Council Staff/PFM)** *Introduced at the April 23 regular meeting*

**Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 49-2012.**

Councilor Waltman suggested adding additional citizen representatives. Council President Acosta noted that the ordinance can be amended to add additional citizen representation as we move forward.

**Bill No. 49-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7**

Nays: None- 0

**Bill No. 50-2012** – amending the Codified Ordinances Council Committees §1-120 #2A Power and Duties by including Membership and Participation on the City of Reading Audit Committee (**Council Staff/PFM**) *Introduced at the April 23 regular meeting*  
**Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 50-2012.**

**Bill No. 50-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7**

**Nays: None- 0**

**Bill No. 51-2012** – amending the Codified Ordinances City Clerk §1-161 Power and Duties by adding a role on the City of Reading Audit Committee (**Council Staff/PFM**) *Introduced at the April 23 regular meeting*

**Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 51-2012.**

**Bill No. 51-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7**

**Nays: None- 0**

**Bill No. 52-2012** - amending the Codified Ordinances City Auditor §1-151. Power and Duties by adding the role of Chair for the City of Reading Audit Committee (**Council Staff/PFM**) *Introduced at the April 23 regular meeting*

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 52-2012.**

**Bill No. 52-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7**

**Nays: None- 0**

**Bill No. 53-2012** – amending the Codified Ordinances, Part 20, Solid Waste, Part 2, Dumpster Placement, Section 203, Conditions of Use, Subsection 2.E, Temporary and Permanent Dumpsters (**Law**) *Introduced at the April 23 regular meeting*

**Councilor Corcoran moved, seconded by Councilor Reed, to enact Bill No. 53-2012.**

Councilor Goodman-Hinnershitz noted her concern with dumpster placement when it disrupts vehicular and pedestrian traffic. She stated that some dumpsters become public safety hazards.

Council President Acosta noted the need to educate users about the new dumpster requirements.

**Bill No. 53-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7**

**Nays: None- 0**

**Bill No. 54-2012** – amending the Codified Ordinances Chapter 24 by creating a new Part 11 Tax Amnesty Program (Council Staff/Law/Bus Analyst) *Introduced at the April 23 regular meeting*

**Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 54-2012.**

Council President Acosta stated that this ordinance places the Tax Amnesty program into the Special Taxation chapter of the Codified Ordinance book. He stated that with the enactment of this ordinance, this and future Administration's will be able to create amnesty programs.

**Bill No. 54-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President – 7**

**Nays: None- 0**

**Bill No. 55-2012** – setting the salary of the Fire Chief at \$72,000 annually (Mayor) *Introduced at the April 23 regular meeting*

**Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 55-2012.**

**Bill No. 55-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,**

**President - 7**

**Nays: None- 0**

## **INTRODUCTION OF NEW ORDINANCES**

Council President Acosta read the following ordinances into the record:

**Ordinance** – amending Codified Ordinance Chapter 27 Zoning Part 16 Floodplain Districts (Public Works) *To be distributed Monday*

**Ordinance** – amending Bill No 30-2012 the 2012 City of Reading Position Ordinance by adding three (3) temporary employees to the Citizens Service Center for the Tax Amnesty Program (**Bus Anal/Council Staff**)

**Ordinance** - implementing a Business Tax Amnesty Program between June 17 and August 18, 2012 which forgives Taxpayers who pay certain past due Per Capita Taxes and Business Privilege Taxes from liability for remaining past due Business Taxes, Interest, and Civil and Criminal Penalties (**Council Staff/Law**)

**Ordinance** - amending Codified Ordinances, Chapter 1 Administration and Government §§ 1-1001, 1-1004, 1-1005, 1-1006, and 1-1007 of the City of Reading Policy for Access to Public Records in accordance with the Pennsylvania Right-To-Know Law (**Law**)

**Ordinance** - setting forth the salary of the Managing Director of the City of Reading at \$110,000 annually (**Mayor**)

**Ordinance** - amending Chapter 7 Fire Prevention and Fire Protection (**Law**) *To be distributed Monday*

**Ordinance** - amending the City of Reading Codified Ordinances Chapter 10 Health and Safety by repealing Section 18 Health and Safety Inspection and recreating the Health and Safety Inspection with other provisions as a new Part 4 named “Certificate of Transfer” in Chapter 4 Buildings (**Law**) *To be distributed Monday*

## **RESOLUTIONS**

**Resolution 55-2012** – appointing David Hollinger as the Director of the Department of Fire and Rescue Services (**Mayor**)

**Councilor Marmarou moved, seconded by Corcoran, to adopt Resolutions 19-2012**



Council President Acosta stated that Council was impressed with the experience and credentials of Mr. Hollinger. He expressed the belief that Mr. Hollinger is well qualified applicant.

**Resolution 55-2012 was adopted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 7**

**Nays: None- 0**

**Resolution 65–2012** adopting the Council Policy Handbook as attached (**Council Staff**)

**Councilor Reed moved, seconded by Goodman-Hinnershitz, to adopt Resolution 65-2012**

**Resolution 65-2012 was adopted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 7**

**Nays: None- 0**

**Resolution 66-2012 – removing Joseph Webb from the Board of Health (Council Staff)**

**Councilor Corcoran moved, seconded by Reed, to adopt Resolutions 66-2012**

Councilor Reed noted Mr. Webb’s attendance problems at the Board of Health meetings. He thanked Mr. Webb for his many years of service to the Board of Health. She noted Council’s understanding that life’s twists sometimes prevents Board members from attending meetings and completing their terms.

**Resolution 66-2012 was adopted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 7**

**Nays: None- 0**

**Resolution 67-2012–** appointing Peter Hart to the Historical Architectural Review Board (**Nom & Appts**)

**Councilor Marmarou moved, seconded by Goodman-Hinnershitz, to adopt Resolution 67-2012**

Councilor Marmarou and Councilor Reed expressed their belief in the construction product experience Mr. Hart will provide to HARB. They also noted that Mr. Hart will bring a new point of view to the Board. They noted the need for Mr. Hart to understand that the HARB regulations are set by the Federal Secretary of Interior.

**Resolution 67-2012 was adopted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President - 7**

**Nays: None- 0**

## **COUNCIL COMMENT**

Councilor Marmarou described the May 5<sup>th</sup> Night in the Heights event, which was very successful. He also described the problems with recycling theft City-wide.

Councilor Goodman-Hinnershitz thanked tonight's speakers. She agreed with the need to review the Quality of Life regulations as they pertain to rear yards and landscaping. She also thanked the volunteers and participants at the Duryea Downhill Race that occurred over the past weekend.

Councilor Reed described the volunteer effort to beautify and landscape the median planters and flower baskets on the street lights standards on Penn Street.

Councilor Reed expressed sympathy to the Escobar family and thanked the Mayor for the attention he gave to the family.

Councilor Corcoran reminded all District 1 residents to become a friend on his District 1 Facebook page. He noted that this is a new way to interact and share issues that affect residents.

Councilor Corcoran noted two (2) District 1 town meetings. The first is on May 17<sup>th</sup> at the Salvation Army at 6:00 pm. The second is on May 23<sup>rd</sup> at 6:30 pm at the Fire Training Center regarding Angelica Park.

Councilor Sterner thanked tonight's speakers and those honored with commendations. He noted his special appreciation for the members of the Reading Police Department.

Council Sterner announced the Outlet Community Group meeting scheduled for Wednesday, May 16<sup>th</sup> at 6:30 pm at St. Marks Church at Windsor and 10<sup>th</sup> Street.

Councilor Sterner congratulated the Hillside Playground Association for another successful

carnival.

Mayor Spencer thanked Council for approving the Fire Chief applicant. He also complimented the City's Fire and Police Departments for their handling of recent issues.

Council President Acosta noted that tonight's commendations celebrate the diversity of the City.

**Councilor Reed moved, seconded by Councilor Marmarou to adjourn the regular meeting of Council.**

*Respectfully submitted by Linda A. Kelleher CMC, City Clerk*